

GENERAL INFORMATION – INDUSTRIAL NPDES PERMIT APPLICATION

Applicability of Forms

Form 1 (General Information) requires you to provide general information on your facility and must be submitted by every applicant for a permit.

Form 5 (Certification) must be signed by a responsible official and must be submitted by every applicant for a permit.

Form 2 (Facilities Which Discharge Nonprocess Wastewater) must be completed in conjunction with Form 1 (General Information) and may be used only by operators of facilities which discharge **nonprocess** wastewater which is not regulated by federal effluent limitation guidelines or new source performance standards. Examples of nonprocess wastewater include, but are not limited to, noncontact cooling water, boiler blowdown, and sanitary waste.

Form 3 (Facilities Which Discharge Process Wastewater - Existing Sources) must be completed in conjunction with Form 1 (General Information) and must be used by operators of facilities which discharge process wastewater. Process wastewater is any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

Form 4 (Facilities Which Discharge Process Wastewater - New Sources) must be completed in conjunction with Form 1 (General Information) and must be used by operators of facilities that are new sources or new dischargers. However, facilities which discharge only nonprocess wastewater that is not regulated by an effluent limitations guideline or new source performance standard may use Form 2. Educational, medical, and commercial chemical laboratories may use this form or Form 3. See the Glossary for definitions of new source and new discharger.

Form 2F (Facilities Which Discharge Storm Water Associated With Industrial Activity) must be completed in conjunction with Form 1 (General Information) and must be used by operators of facilities which discharge storm water associated with industrial activity or by operators of storm water discharges that the State of Iowa is evaluating for designation as a significant contributor of pollutants to waters of the United States, or as contributing to a violation of a water quality standard. See the Glossary for the definition of "Storm Water Associated With Industrial Activity".

Where to File Applications

Completed applications must be mailed to the Iowa Department of Natural Resources, Henry A. Wallace Building, 900 East Grand Des Moines, Iowa 50319, Attn: Wastewater Section.

Completeness

Your application will not be considered complete unless you answer every question on each form. If an item does not apply to you, enter "NA" (for not applicable) to show that you have considered the item.

Public Availability of Submitted Information

You may not claim as confidential any information required by this application, whether the information is reported on the forms or in an attachment. Section 402(j) of the Clean Water Act requires that all permit applications will be available to the public. This information will be made available to the public upon request.

Any information you submit which goes beyond that required by this application you may claim as confidential, but claims for information which are effluent data will be denied. If you do not assert a claim of confidentiality at the time of submitting the information, the information may be made public without further notice to you. Claims of confidentiality will be handled in accordance with Chapter 17A of the Code of Iowa and 567 Chapter 2 of the Iowa Administrative Code.

Signature Requirements

Federal and State Regulations require applications to be signed as follows:

For a corporation: by a responsible corporate official. For purposes of this section, a responsible corporate official means (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: Specific assignments or delegation of authority to responsible corporate officers are not required. The department will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to an applicable corporate position.

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or for a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

Use of Certified Laboratory Required

The results of all analyses submitted as part of a permit application, operation report, order or rule must be performed by a laboratory certified by this department. Contact the department at 515-281-4367 for a list of certified laboratories.

GLOSSARY

NOTE: This Glossary includes terms used in the instructions and in Forms 1, 2, 2F, 3 and 4. If you have any questions concerning the meaning of any of these terms, please contact the Department at (515) 281-4367.

ALIQOT means a sample of specified volume used to make up a total composite sample.

BYPASS means the intentional diversion of wastes from any portion of a treatment facility.

COMPOSITE SAMPLE means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of the facility over a 24-hour period. A composite sample must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically. For GC/MS Volatile Organic Analysis (VOA), aliquots must be combined in the laboratory immediately before analysis. Four (4) (rather than eight) aliquots or grab samples should be collected for VOA. These four samples should be collected during actual hours of discharge over a 24-hour period and need not be flow proportioned.

CONTACT COOLING WATER means water used to reduce temperature which comes into contact with a raw material, intermediate product, waste product other than heat, or finished product.

CWA means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) Pub. L. 92-500, as amended by Pub. L. 95-217 and Pub. L. 95-576, 33 U.S.C. 1251 et seq.

DIRECT DISCHARGE means the discharge of a pollutant as defined below.

DIRECTOR means the EPA Regional Administrator or the State Director as the context requires.

DISCHARGE (OF A POLLUTANT) means:

- A. Any addition of any pollutant or combination of pollutants to waters of the state from any point source; or
- B. Any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.

This definition includes discharges into waters of the state from: Surface runoff which is collected or channelled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to POTW's; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any indirect discharger.

EFFLUENT LIMITATION means any restriction imposed by the Director on quantities, discharge rates, and concentrations of pollutants which are discharged from point sources into waters of the state, the waters of the contiguous zone, or the ocean.

EFFLUENT LIMITATION GUIDELINE means a regulation published by the Administrator under Section 304(b) of the Clean Water Act to adopt or revise effluent limitations.

ENVIRONMENTAL PROTECTION AGENCY (EPA) means the United States Environmental Protection Agency.

EXISTING SOURCE or EXISTING DISCHARGER means any source which is not a new source or a new discharger.

FACILITY means any Hazardous Waste Management facility, Underground Injection Control well, NPDES point source, Prevention of Significant Deterioration stationary source, or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the Resource Conservation and Recovery Act, Underground Injection Control, National Pollutant Discharge Elimination System, or Prevention of Significant Deterioration programs.

GRAB SAMPLE means a representative, discrete, portion of sewage, industrial waste, other waste, storm water, surface or ground water of at least 100 milliliters taken without regard to flow rate and at a randomly selected time over a period not exceeding fifteen (15) minutes..

HAZARDOUS SUBSTANCE means any of the substances designated under 40 CFR Part 116 pursuant to Section 311 of CWA. (NOTE: These substances are listed in Table 2 of the instructions to Form 3.)

INDIRECT DISCHARGER means a nondomestic discharger introducing pollutants to a publicly owned treatment works.

MGD means millions of gallons per day.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of CWA.

NEW DISCHARGER means any building, structure, facility, or installation: (i) from which there is or may be a new or additional discharge of pollutants at a site which on or before October 18, 1972 had never discharged pollutants; (ii) which has never received an effective NPDES permit for discharges at that site; and (iii) which is not a "new source." This definition includes an indirect discharger which commences discharging into waters of the United States. It also includes any existing mobile point source, such as an offshore oil drilling rig, seafood

processing vessel, or aggregate plant that begins discharging at a location for which it does not have an existing permit.

NEW SOURCE means any building, structure, facility, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced: (i) after promulgation of standards of performance under section 306 of CWA which are applicable to such source, or; (ii) after proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

NON-CONTACT COOLING WATER means water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

OPERATOR means the person responsible for the overall operation of a facility.

OUTFALL means a point source.

OWNER means the person who owns a facility or part of a facility.

PERMIT means an authorization, license, or equivalent control document issued by EPA or an approved State to implement the requirements of 40 CFR Parts 122, 123, and 124.

POINT SOURCE means any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, concentrated aquatic animal production facility, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

POLLUTANT means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended [42 U.S.C. Section 2011 et seq.]), heat, wrecked or discarded equipment, rocks, sand, cellar dirt and industrial, municipal, and agriculture waste discharged into water. It does not mean:

- A. Sewage from vessels; or
- B. Water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well used either to facilitate production or for disposal purposes is approved by authority of the State in which the well is located, and if the State determines that the injection or disposal will not result in the degradation of ground or surface water resources.

(NOTE: Radioactive materials covered by the Atomic Energy Act are those encompassed in its definition of source, by-product, or special nuclear materials. Examples of materials not covered include radium and accelerator produced isotopes. See *Train v. Colorado Public Interest Research Group, Inc.*, 426 U.S. 1 [1976]).

PRIMARY INDUSTRY CATEGORY means any industry category listed in the NRDC Settlement Agreement (*Natural Resources Defense Council v. Train*, 8 ERC 2120 [D.D.C. 1976] modified 12 ERC 1833 [D.D.C. 1979]).

PROCESS WASTEWATER means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

PUBLICLY OWNED TREATMENT WORKS or POTW means any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a State or municipality. This definition includes any sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

SECONDARY INDUSTRY CATEGORY means any industry category which is not a primary industry category.

STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR part 122. For the categories of industries identified in paragraphs (i) through (x) of this definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

For the categories of industries identified in paragraph (xi) of this definition, the term includes only storm water discharges from all the areas (except access roads and rail lines) that are listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product, or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in these paragraphs (i)-(xi) of the definition) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this definition;

- (i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this definition);
- (ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285), 29, 311, 32 (except 323), 33, 3441, 373;
- (iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; (inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator; inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim);
- (iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
- (v) Landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
- (vi) Facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
- (vii) Steam electric power generating facilities, including coal handling sites;

- (viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-4225), 43, 44, 45 and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under paragraphs (i)-(vii) or (ix)-(xi) of this definition are associated with industrial activity;
- (ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;
- (x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale;
- (xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-4225, (and which are not otherwise included within categories (ii)-(x)).

STORM WATER RUNOFF means water discharged as a result of rain, snow, or other precipitation.

TOXIC POLLUTANT means any pollutant listed as toxic under Section 307(a)(1) of CWA.

TOXICITY TEST means any test which includes the use of aquatic algal, invertebrate, or vertebrate species to measure acute or chronic toxicity, and any biological or chemical measure of bioaccumulation.

UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

WATER OF THE STATE means any stream, lake, pond, marsh, watercourse, waterway, well, spring, reservoir, aquifer, irrigation system, drainage system, and any other body or accumulation of water, surface or underground, natural or artificial, public or private, which are confined within, flow through or border upon the state or any portion thereof.